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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,836	12/10/2002	Peter Oberg	ALBIHN-426	2556

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EXAMINER

TRINH, MINH N

ART UNIT PAPER NUMBER

3729

DATE MAILED: 11/19/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/070,836

Applicant(s)

OBERG, PETER

Examiner

Minh Trinh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 April 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- ☐ Interview Summary (PTO-413) Paper No(s) _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Specification

1. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet in a single paragraph, which is limited to 50-150 words, is required.

Claim Objections

2. Claims 1-6 are objected to because of the following:
 - a) "and application of heating elements for heating in vehicles" (claim 1, line 1) should be revised to: -- and application of heating element for heating in a vehicle --. make the language of the claim consistent with applicant's intent (see line 1-2 of the specification, under title).
 - b) "those areas" (claim 1, lines 6) should be changed to: --areas--.
 - c) method step limitation: "heating the adhesive so as to make the wire adhere to the substrate" (see claim 1, lines 11-12) should be change to: -- heating and melting the adhesive in order to separate the heating wire from the carrier and leaving the heating wire adhere to the substrate-- is suggested in order to clarify the claimed subject matter. Appropriate correction is required. Noted that support for the above is discloses in the specification page 6, lines 5-6. Further, applicant's cooperation is requested in correcting any errors of which applicant may become aware in the claims.

Claim Rejections - 35 USC § 112

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3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The following are examples:

“said heating element” (claim 1, line 2) is not clear whether this element is one of the “heating elements” recited in line 1.

“in its operating position” is not clear what exactly is being referring as “its operation position”.

there is no link between the limitation: “which the heating element is to be close contact with,” (claim 1, line 9-10) and the other limitations as recited in the method steps of claim 1.

“pressing the heating wire against the substrate” (claim 1, line 11) is vague and indefinite because it is not clear how the wire can be pressing against the substrate when it is on the temporary carrier. It appears that either the carrier and or the substrate has to be rotated in order to obtain such orientation.

It is not clear how “heating the adhesive can adhere the heating wire to the substrate” as recited in claim 1, lines 11-12.

“the wire” (claim 1, line 12) lacks proper antecedent basis. Further, applicant should carefully revise the claims to positively recite the manufacturing method steps.

Allowable Subject Matter

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5. Claims 1-6 would be allowable if rewritten or amended to overcome the claim objection(s) and the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action (see paragraphs 2-4 above). The following is a statement of reasons for the indication of allowable subject matter. The prior art do not teach or suggest the method for producing heating element in a vehicle as claimed in details in claims 1-6 of the present claims. In particular, the method steps: positioning the heating wire onto at least one side of a temporary carrier 4; applying an adhesive over said carrier, at least over areas of the heating wire is lying on the carrier, and over the heating wire, causing the heating wire to adhere to the surface of the carrier, transporting the carrier with the heating wire to a final substrate, rotating the carrier having the heating wire thereto so as the heating wire on the substrate (see Fig. 3); pressing the heating wire 1 against the substrate 13, heating the adhesive so as to separate the wire 1 from the carrier 4 and to make the wire adhere to the substrate (see incorporation of claims suggestion in paragraph 2), and removing the carrier to form the heating element for heating in the vehicle as set forth in the claim alone or in combination with other limitations appears to be patentably distinguishing features and are not suggested by the prior art reference.

Conclusion

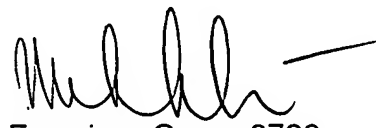
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited prior art teaching of heating element for seat and/or window.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Trinh whose telephone number is (703) 305-2887. The examiner can normally be reached on Monday -Thursday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (703) 308-1789. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.



Examiner Group 3729

Mt
11/6/2003